

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL BRASSINGTON, PAUL
BRASSINGTON, BRIAN MCKENZIE,
JOHN FRANCIS VIEIRA, AND JOHN
KIMBERLING,

Defendants.

Hon. Dennis M. Cavanaugh

ORDER

Crim. No. 09-CR-45 (DMC)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon motion by Defendant John Kimberling (“Defendant”) for a stay of the proceedings against him, or a severance from within the proceedings, on the grounds he is unable to travel for medical reasons. After considering the submissions of the parties, and based upon the Court’s Opinion filed this day;

IT IS this 26th day of August, 2010;

ORDERED Defendant’s motion to stay is **denied**; and further,

ORDERED Defendant’s motion to sever is **denied**.

S/ Dennis M. Cavanaugh
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk’s Office
cc: All Counsel of Record
File